

Attorney Docket No.: J3714(C)
Serial No.: 10/550,623
Filed: June 27, 2006
Confirmation No.: 4633

REMARKS

Responsive to the Restriction Requirement dated September 22, 2009, Applicants elect the Group I claims (claims 1-9) for prosecution.

It is respectfully submitted that the Group I claims (drawn to a hair treatment composition) and the Group II claim (claim 10, drawn to a method for styling hair which method comprises contacting the hair with a composition in accordance with claim 1) are related as product and method of use. Examining same in a single application is not impose an undue search or examination burden. Accordingly, this election is made with traverse and reconsideration thereof is respectfully requested.

The Restriction Requirement further requires an election of species, however, specifics with respect to the species election have not been provided. Applicants do not know whether the election required is as among the various hair treatment forms recited in claim 1 (mousse, cream, lotion or spray) or the pressure sensitive adhesive component of the composition. In the event that election of a hair treatment form is required, mousse is hereby elected; in the event that election of a pressure sensitive adhesive is required, Applicants hereby elect as the pressure sensitive adhesive a silicate condensed with a silicone fluid. See page 4, lines 22 to 23. Irrespective of the form, the claims require that the compositions comprise a pressure sensitive adhesive in the form of an emulsion, and that the composition is a hair treatment composition; given the common feature of pressure sensitive adhesive being in the form of an emulsion and the composition being a hair treatment composition, examination of same in a single application is not believed to impose an undue burden. Accordingly the species election is made with traverse. Claims 1 to 9 and new claim 11 (drawn to a leave on hair treatment composition comprising propellant

Attorney Docket No.: J3714(C)
Serial No.: 10/550,623
Filed: June 27, 2006
Confirmation No.: 4633

and a silicone pressure sensitive adhesive comprising a silicate condensed with a silicone fluid, wherein the pressure sensitive adhesive is in the form of an emulsion and wherein the hair treatment composition is in the form of a mousse) read on the elected species.

In the claim set provided with this response consistent with the subject election, Claim 10 has been identified as "withdrawn." In the event that upon reconsideration of the requirement for restriction the claim is rejoined, the status identifier will be changed to "previously presented".

Entry of the subject amendment is respectfully requested.

If a telephone conversation would be of assistance in advancing the prosecution of the present application, applicants' undersigned attorney kindly requests the Examiner to telephone at the number provided.

Respectfully submitted,

/Karen E. Klumas/

Karen E. Klumas
Registration No. 34,396
Attorney for Applicant(s)

KEK/sa
(201) 894-2332